

ASSEMBLY BILL

No. 2580

Introduced by Assembly Member Logue

February 19, 2010

An act to add Section 834.1 to the Penal Code, relating to felonies.

LEGISLATIVE COUNSEL'S DIGEST

AB 2580, as introduced, Logue. Felonies: deportation.

Existing law provides that when there is a reason to believe that any person arrested for the possession, possession for sale, purchase for sale, transportation, sale, or giving away of specified controlled substances may not be a citizen of the United States, the arresting agency is required to notify the appropriate federal agency having charge of deportation matters.

This bill would impose a state-mandated local program by providing that this notification requirement is also applicable when there is a reason to believe that any person arrested for any felony offense may not be a citizen of the United States.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

1 SECTION 1. Section 834.1 is added to the Penal Code, to read:
2 834.1. When there is reason to believe that any person arrested
3 for a violation of any felony offense may not be a citizen of the
4 United States, the arresting agency shall notify the appropriate
5 agency of the United States having charge of deportation matters.
6 SEC. 2. If the Commission on State Mandates determines that
7 this act contains costs mandated by the state, reimbursement to
8 local agencies and school districts for those costs shall be made
9 pursuant to Part 7 (commencing with Section 17500) of Division
10 4 of Title 2 of the Government Code.